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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,049

07/14/2006

Yasuyuki Arai

0756-7773

2445

31780

7590

05/16/2011

Robinson Intellectual Property Law Office, P.C.  
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EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

05/16/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/586,049	<b>Applicant(s)</b> ARAI ET AL.	
	<b>Examiner</b> DARYL POPE	<b>Art Unit</b> 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2011.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### **ART REJECTION:**

#### ***Claim Rejections - 35 USC § 103***

2. Claims 1-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kayanakis, for the reasons of record as discussed in the previous office actions.

### **REMARKS:**

#### ***Response to Arguments***

3. Applicant's arguments filed 3/2/2011 have been fully considered but they are not persuasive. Applicant's arguments have been addressed by examiner in the previous Art Rejections, as well, Response to Arguments in the "REMARKS" section of examiner's previous Office Actions. Applicant is again arguing that Kayanakis does not read on the claimed subject matter because of Kayanakis' treatment of the antenna(24) in relation to the integrated circuit(22). Applicant deems that, based on the teachings of Kayanakis, one of ordinary skill would have only been motivated to provide an antenna(24) on an inner surface of the protective coating overlays, and therefore, there would have been not suggestion or rationale to provide the integrated circuit(22) or antenna(24) on an outer surface of the protective overlays.

The examiner does not deem that a modification to Kayanakis, such as placing the antenna or circuit on an outer surface of the overlays, would change the principle of the operation of the Kayanakis. Benefits of placing the antenna on an outer surface,

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such as, increased antenna reception, would have been inherent, and therefore deemed obvious to one of skill in the art at the time the invention was made. As well, the examiner's position to all of applicant's arguments have been clearly stated in previous office actions. Since applicant does not introduce any new concepts or arguments, the examiner will defer to responses to applicant's arguments as previously stated. In view of this, applicant's arguments are not deemed persuasive.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL POPE whose telephone number is (571)272-2959. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MIKE RAZAVI can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/DARYL POPE/  
Primary Examiner, Art Unit 2612

DARYL POPE  
Primary Examiner  
Art Unit 2612